IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1244 OF 2006

1. Bapu Uddhav Sankpal,
2. Yuvraj Vasant Lokhande,
3. Kisan Anna Tupe. ...Applicants

V/s.

The State of Maharashtra. ...Respondent

Shri Rahul S. Kate for Applicants.
Ms.S.D. Shinde, APP for the State.

CORAM : V.M. KANADE, J.

DATED : APRIL 17, 2006

P.C. :-

. Heard learned Counsel for the applicants and learned APP for the State.

. The applicants were arrested in connection with an offence punishable under Sections 384, 386 read with Section 34 of the IPC.

2. It is alleged that the accused used to demand money from the auto rickshaw drivers and on refusal by the complainant to pay the said amount, he was assaulted. The chargesheet has been filed.

3. Learned APP has invited my attention to the evidence of the witnesses who have seen the applicants demanding money from the other rickshaw drivers for the purpose of permitting them to park their vehicles at the said spot.

4. Since the chargesheet has been filed and the trial is not likely to commence for some time, the applicants cannot be detained in jail indefinitely. They are, therefore, entitled to be released on bail subject to stringent conditions being imposed by this Court.

5. The applicants be released on bail in the sum of Rs.5000/- each with one or two sureties in the like amount. He shall, however, not enter the jurisdiction of Karad City during the pendency of the trial. The applicants shall give their new address to the Superintendent of Jail before they are released and shall report to the nearest police station from his new address twice in a month.

6. The applicants shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

7. The trial Court shall not be influenced by any observations made by this Court while deciding the application and the same shall not be construed as an expression of opinion on merits of the case.

. The application is disposed of.

(V.M. Kanade, J.)